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8
9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 MARIA MENDEZ DE QUINONEZ,

12 Plaintiff,

13 vs.

14 RAMPARTS INC., d/b/a LUXOR HOTEL &
CASINO,

15 Defendants.
16

Case No. 2:17-cv-02394-RFB-PAL

**STIPULATION AND ORDER TO
EXTEND DISCOVERY AND
DISPOSITIVE MOTION DEADLINES
(Second Request)**

17 The parties, by and through their respective counsel of record, hereby stipulate and agree as
18 follows:

19 1. On December 15, 2017, this Court entered an Order granting the Stipulated
20 Discovery Plan and Scheduling Order submitted by the parties (ECF No. 27).

21 2. On April 9, 2018, this Court entered an Order granting the parties' joint Stipulation
22 to Extend Discovery and Dispositive Motion deadlines for a period of 30 days to allow the parties
23 to complete deposition discovery only (ECF No. 33), which the parties genuinely believed would
24 be sufficient time to complete all remaining discovery.

25 3. This is the second request by the parties to extend discovery. This second request
26 arises from delay caused by the failure to the Social Security Administration to respond timely to a
27 properly served subpoena, as well as dates available for certain witnesses, in conjunction with
28 counsel's schedule, leading to an inability to complete discovery by June 13, 2018. Further, even

1 if the parties were able to complete deposition discovery by June 13, 2018, it is very unlikely that
2 deposition transcripts would be prepared to meet the dispositive motion deadline in time.

3 4. The parties stipulate and agree to extend the discovery deadline for thirty (30) days
4 from June 13, 2018 up to and including July 13, 2018, for the purposes of allowing the parties to
5 complete deposition discovery, allow for deposition transcripts to be prepared timely, and to allow
6 for discovery to be complete prior to the filing of dispositive motions.

7 5. The parties further agree to extend the due date for dispositive motions to thirty (30)
8 days after the proposed new close of discovery.

9 **STATEMENT OF DISCOVERY THAT HAS BEEN COMPLETED**

10 The parties have been diligently pursuing discovery. To date, they have exchanged initial
11 disclosures, including relevant documents, supplemented their initial disclosures, exchanged
12 written document requests and interrogatories, and responded to the same. Plaintiff has noticed the
13 depositions of several fact witnesses and Defendant has noticed the deposition of Plaintiff. The
14 parties are working collaboratively to schedule further depositions.

15 Plaintiff served the following disclosures:

- 16 a. Initial Disclosures on November 29, 2017;
- 17 b. First Supplemental Disclosures on December 19, 2017.
- 18 c. Second Supplemental Disclosures on March 30, 2018.
- 19 d. Third Supplemental Disclosures on April 30, 2018.
- 20 e. Fourth Supplemental Disclosures on May 14, 2018.

21 Defendant served the following disclosures:

- 22 a. Initial Disclosures on November 29, 2017;
 - 23 b. First Supplemental Disclosures on March 8, 2018.
 - 24 c. Second Supplemental Disclosures on March 28, 2018.
 - 25 d. Third Supplemental Disclosures on April 17, 2018.
 - 26 e. Fourth Supplemental Disclosures on May 4, 2018.
 - 27 f. Fifth Supplemental Disclosures on May 14, 2018.
- 28

1 Plaintiff served the following discovery requests:

- 2 a. First Set of Interrogatories. Defendant responded on February 7, 2018.
- 3 b. Second Set of Interrogatories. Defendant responded on May 10, 2018.
- 4 c. Third Set of Interrogatories. Defendant responded on May 15, 2018.
- 5 d. First Set of Requests for Production of Documents. Defendant responded on
- 6 February 7, 2018.
- 7 e. Second Set of Requests for Production of Documents. Defendant responded
- 8 on April 19, 2018.
- 9 f. Third Set of Requests for Production of Documents. Defendant responded
- 10 on May 10, 2018.
- 11 g. Plaintiff has noticed three fact witness depositions, and is collaborating with
- 12 Defendant to set deposition(s) pursuant to Fed. R. Civ. P. 30(b)(6).

13 Defendant served the following discovery requests:

- 14 a. First Set of Interrogatories. Plaintiff responded on March 30, 2018.
- 15 b. Second Set of Interrogatories. Plaintiff responded on April 10, 2018.
- 16 c. Third Set of Interrogatories. Plaintiff responded on May 11, 2018.
- 17 d. First Set of Request for Production of Documents. Plaintiff responded on
- 18 March 30, 2018.
- 19 e. Defendant has set Plaintiff's deposition for June 1, 2018.
- 20 f. Third party subpoenas on Plaintiff's health care providers, the Culinary
- 21 Worker's Pension Fund, and the Social Security Administration.

22 **STATEMENT OF DISCOVERY THAT REMAINS TO BE COMPLETED**

23 The parties are finalizing the deposition schedule. To accommodate counsel, including
24 third-party deponents' schedules, the parties seek until July 13, 2018 to ensure completion of these
25 depositions and availability of transcripts for dispositive motion briefing (for both parties). For the
26 above stated reasons, the parties request that the deadline to complete depositions be extended for
27 thirty (30) days from June 13 2018, to July 13, 2018.

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1 **PROPOSED SCHEDULE**

2 The parties stipulate and agree that:

3 1. **Discovery**: The discovery period shall be extended thirty (30) days from June 13
4 2018 to July 13, 2018, to allow the parties to complete deposition discovery and allow for transcripts
5 to be available for the preparation of dispositive motions.

6 2. **Dispositive Motions**: The dispositive motions deadline shall be extended thirty (30)
7 days from July 13, 2018 to August 13, 2018.

8 3. **Pre-Trial Order**: If no dispositive motions are filed, the Joint Pretrial Order shall
9 be filed forty-five (45) days after the date set for the filing of dispositive motions, which is
10 September 28, 2018. In the event dispositive motions are filed, the date for filing the Joint Pretrial
11 Order shall be suspended until thirty (30) days after decision on the dispositive motions or by further
12 order of the Court.

13 This stipulation and order is sought in good faith and not for the purpose of delay. No prior
14 request for any extension of scheduling deadlines has been made.

15 DATED this 22nd day of May, 2018.

16 KEMP & KEMP

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20 *Attorneys for Plaintiff*
21 *Maria Mendez De Quinonez*

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22 **ORDER**

23 IT IS SO ORDERED.

24
25 
United States District/Magistrate Judge

26 Date: May 24, 2018